

REMARKS

Claims 1-21 were pending and remain pending. By this Amendment, claims 1, 10, 18, 19, and 21 are amended. Support for the amendments can be found throughout the specification, claims, and figures as filed. Therefore, no new matter is added by the Amendment. The Amendment is being made solely to expedite prosecution of the present application and should not be considered an acquiescence to any rejection.

Applicant provides the following remarks to respond to the February 3, 2003 Office Action mailed in this application's predecessor application, Ser. No. 09/302,139.

Claims 1-21 meet the requirements of 35 U.S.C. § 112, first paragraph

Claims 1-21 were rejected under 35 U.S.C. § 112, first paragraph, for “failing to describe the manner in which the potential or voltage levels exceeding normal operating voltage ranges are applied to plural pins” (Office Action, February 2, 2003, ¶3.1).

In response, Applicant points out that the independent claims have been amended to recite only that a voltage level that is higher than a normal operating voltage level is applied to the supply voltage terminal. The rejection is no longer applicable.

Claims 18 and 21 were rejected under U.S.C. § 112, first paragraph, for “failing to describe the manner in which the potential or voltage levels exceeding normal operating voltage ranges are applied to plural pins continuously while parametrization stimuli are applied to those same plural pins or terminal simultaneously” (Office Action, February 2, 2003, ¶3.1.1).

Applicant believes that this rejection was intended for claim 19 rather than claim 18, because claim 19 recites “during the presence of a parametrization signal” but claim 18 does not.

In any event, Applicant respectfully traverses the rejection. As shown in Figure 2, parametrization signals are conveyed on a signal voltage that is higher than a normal operating voltage level. So, the high voltage is applied to the supply voltage terminal during the presence of the parametrization signal.

Claims 18 (19) and 21 meet the requirements of 35 U.S.C. § 112, second paragraph

Claims 18 and 21 were rejected under 35 U.S.C. § 112, second paragraph because “it is unclear to the Examiner how the potential or voltage levels exceeding normal operating voltage ranges are applied to plural pins continuously while simultaneously parametrization stimuli are applied to those same plural pins or terminals” (Office Action, February 2, 2003, ¶ 3.2).

In response, Applicant respectfully traverses the rejection. As discussed above, Figure 2 shows that parametrization signals are conveyed on a signal voltage that is higher than a normal operating voltage level. So, the high voltage is applied to the supply voltage terminal during the presence of the parametrization signal.

The subject matter in claims 1-21 is nonobvious under 35 U.S.C. § 103

Claims 1-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over “Applicants’ Admitted prior art” in view of U.S. Patent No. 5,973,900 to Sher (hereinafter “Sher”) in further view of U.S. Patent No. 5,627,784 to Roohparvar (hereinafter “Roohparvar”). The Examiner acknowledged that “Admitted prior art” and Sher do not describe applying a voltage level that is higher than the normal operating voltage level to at least two terminals. However, the Examiner stated that “Roohparvar, in an analogous art, discloses a [system] wherein such plural-pin supervoltage application means is described.” (Office Action, February 2, 2003, ¶2.1).

In response, the Applicant respectfully points out that the independent claims have been amended to recite only that the voltage level that is higher than a normal operating voltage level is applied to the supply voltage terminal.

The subject matter that the claims define is not obvious in light of the cited references, because none of them teaches applying to the supply voltage terminal a voltage level that is higher than a normal operating voltage level. The “admitted prior art” does not refer to a voltage supply terminal. **Sher** teaches applying a high voltage to the input pad 106, not its supply voltage VCC. **Roohparvar** teaches applying high voltage to two or more terminals 240 and 242, such as an address terminal A10 and a write enable terminal WE (Fig. 14 and col. 22, lines 41-42), not its supply voltage VCC.

So even if the teachings of “admitted prior art” and Sher could be combined with the teachings of Roohparvar, the resulting combination would still not include applying a voltage level that is higher than a normal operating voltage level to the supply voltage terminal. For this reason, the subject matter of claim 1 cannot be considered obvious in light of the cited references. Analogous arguments apply as well to the other independent claims.

Claims 2-9, 11-17, and 20 depend variously and ultimately from nonobvious independent claims 1, 10, and 19. Therefore, the subject matter that they claim cannot be considered obvious. *See* M.P.E.P. § 2143.03 (“If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.”). Applicant respectfully traverses the rejections of these claims and consider each rejected dependent claim to be allowable over the prior art of record at least by way of its dependency from an allowable independent claim. Applicant’s decision not to address the merits of the rejection of any dependent claim is merely an

acknowledgement that the rejected dependent claim is allowable by way of its dependency from an allowable independent claim and is not an acquiescence to the assertion in the Office Action that the subject matter of the dependent claim may be taught or suggested by prior art references. Applicant reserves the option to contest the rejection of any dependent claim in this or subsequent patent applications.

CONCLUSION

Applicant authorizes the Commissioner to charge any amount necessary in connection with the filing of this Preliminary Amendment to maintain the pendency of the application to our Deposit Account No. 06-1448.

The Examiner is invited to call the undersigned at 617-832-1176 or at the telephone number listed below to discuss any question relating to this application.

Dated: March 15, 2004

Customer No. 25,181

FOLEY HOAG LLP

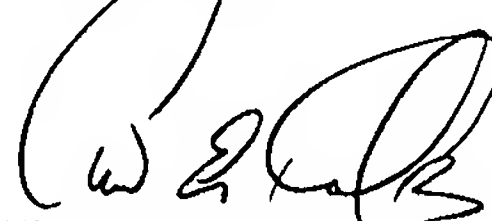
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Respectfully submitted,
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